

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA**

ISIDRO OROZCO, et al.,)	Case No.: 1:21-cv-01674-SAB
)	
Plaintiffs,)	ORDER DIRECTING CLERK OF COURT TO
)	ENTER JUDGMENT PURSUANT TO
v.)	PLAINTIFFS' ACCEPTANCE OF A RULE 68
)	OFFER OF JUDGMENT
FCA US, LLC,)	
)	(ECF No. 41)
Defendant.)	
)	
)	

On August 18, 2023,¹ Plaintiffs Isidro Orozco and Johanna Orozco notified the Court that they accepted the Defendant, FCA US, LLC's offer of judgment pursuant to Federal Rule of Civil Procedure ("Rule") 68. (ECF No. 41.) Plaintiff filed the Rule 68 offer and the signed acceptances. (Id. at 4-6.)

Federal Rule of Civil Procedure 68 provides in relevant part: ". . . a party defending against a claim may serve on an opposing party an offer to allow judgment on specified terms, with the costs then accrued. If . . . the opposing party serves written notice accepting the offer, either party may then file the offer and notice of acceptance, plus proof of service. The clerk must then enter judgment." Fed. R. Civ. P. 68(a).

Here, Defendant served Plaintiffs with a Rule 68 offer of judgment on July 21, 2023, which contained the following summarized terms: (1) Plaintiffs will surrender the subject vehicle in this action to Defendant pursuant to the accepted terms in the offer; (2) Defendant will pay Plaintiffs

¹ Following the parties' consent to magistrate judge jurisdiction on January 3, 2024 (ECF No. 46) and January 4, 2024 (ECF No. 47), the case was reassigned to the undersigned on January 10, 2023 for all purposes including entry of judgment (ECF No. 48).

1 \$105,000.00 for the subject vehicle to settle all of Plaintiff's claims; and (3) Plaintiffs may seek
2 reasonable costs, expenses, and attorneys' fees pursuant to a properly noticed motion should the parties
3 be unable to resolve such attorneys' fees and costs. (See ECF No. 41 at 4-6.) Plaintiffs accepted
4 Defendant's Rule 68 offer in writing on August 4, 2023. (Id. at 6.)

5 Because Plaintiffs accepted Defendant's offer and because all requirements of Rule 68 are met,
6 the Court will direct the Clerk of the Court to enter judgment in this matter against Defendant in
7 accordance with the parties' agreement.

8 Accordingly, it is HEREBY ORDERED that:

- 9 1. The Clerk shall enter judgment in favor of Plaintiffs and against Defendant pursuant to
10 the terms of the Rule 68 offer filed in this case on August 18, 2023 (ECF No. 41);
11 2. All other dates, including the trial and pretrial conference, are VACATED; and
12 3. The Clerk of Court is directed to close this case.

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14 IT IS SO ORDERED.

15 Dated: January 11, 2024

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UNITED STATES MAGISTRATE JUDGE